

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22578 of 2016

Arising Out of PS.Case No. -11 Year- 2016 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

1. Uma Shankar Ram, S/o- Suruj Ram, Resident of Village- Chauhaniya,
P.S.- Madhuban, District- East Champaran..... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Ramakant Yadav

For the Opposite Party/s : Mr. Rita Verma(App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 25-05-2016

Heard learned counsel for the petitioner and learned

counsel representing the State.

The petitioner seeks bail in connection with Madhuban P.S.
Case No. 11 of 2016 registered for the offences punishable under
Sections 399, 402, 414 of the Indian Penal Code and Sections 25(1-
b)A, 26/35 of the Arms Act.

Allegedly, acting on an information, the Police personnel
raided the place and caught five miscreants with Tata Magic vehicle
and from possession of the petitioner several tools for breaking the lock
of vehicle and other incriminating articles were recovered and they
confessed that they were making plan to commit dacoity.

Submission is of false implication and that nothing has been
recovered from possession of the petitioner. The recovered articles have
been planted by the Police, the petitioner has not confessed anything
rather the Police after adopting 3rd degree method has got recorded the
confessional statement, the petitioner has got no criminal antecedent

and without any fault he is suffering in custody since 18.01.2016.

Learned APP opposes the prayer of bail by submitting that the petitioner and other co-accused have confessed their guilt and further several incriminating articles were recovered from possession of the petitioner also.

In the facts and circumstances stated above, considering that the petitioner has got no criminal antecedent, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate IV, East Champaran, Motihari in connection with Madhuban P.S. Case No. 11 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

avin/-

(Jitendra Mohan Sharma, J)

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